

PERSPECTIVES

On the Professions

A periodical of the Center
for the Study of Ethics in
the Professions (CSEP),
Illinois Institute of Technology

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Vol. 3, No. 1/2

March/June 1983

"Do the Professions Have Their Own Morality?"

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Since its inception, PERSPECTIVES has tried to address moral issues that are of general concern, rather than those that are of interest only to the members of some particular profession. The topic of the present issue is in keeping with this aim. Here we are raising a question basic to the ethics of the legal, medical and every other profession. That is, are there moral values specific to any of the professions, which apply only to practitioners of these professions, setting their morality apart from that which applies to the rest of us?

The general question as to whether the members of the various professions are constrained by special moral norms or principles has been raised by the philosopher Alan Goldman in his book *The Moral Foundations of Professional Ethics*. He does not regard as a sufficient reason for holding that they are the mere fact "that the professional role involve relations with unique morally relevant features," because it may very well be that "these features can be evaluated by applying in the usual

way moral principles applicable elsewhere as well."

In order for someone to be considered as acting in accordance with moral values unique to his profession, it must be the case that this person "be permitted or required to ignore or weigh less heavily what would otherwise be morally overriding considerations in the relations into which he enters as a professional." More specifically, this person's professional obligations would be taken to override what are usually held to be human rights, because this person would otherwise not be able to perform a professional function upon which society places a high moral value. Such special moral values may be found in the institution of the family, where parents enjoy a specific right to interfere with the liberty of action of their children in order to secure the latter's well-being.

For this issue of PERSPECTIVES, Alan Goldman has written an essay for us which briefly presents the position he defends in his book. We are also reprinting two reviews of his work by Professors David Luban and Kenneth Kipnis, the latter of which has been expanded from the original version.

"Authority, Autonomy and Institutional Norms"

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One reason that professional ethics is an important area of investigation for moral theorists is that it forces us to recognize an important distinction often ignored in normative ethics. This is the distinction between the moral content of an action, as judged by ordinary moral criteria, and the authority or responsibility of an agent to act on his own judgment of content according to those criteria. This question of moral authority to act concerns the boundaries of individual autonomy and responsibility, and the drawing of these boundaries has been a central task for traditional normative theory. The recognition that unburdened conscience may not always be the correct guide comes when we begin to apply such theory to social institutions like the professions. Here we encounter norms like that of client advocacy, which may contradict the demands of ordinary conscience.

The question of moral authority arises because of the fallibility of agents in arriving at moral judgments and acting on them. Because agents in certain circumstances are likely to make

mistakes when engaged in moral evaluations of alternative actions, it may sometimes be better to impose rules on them that simplify their moral universe by eliminating from consideration certain normally relevant factors. Such rules may require an agent to do what, from his own perspective, might appear wrong; or they may call upon him to refrain from doing what might otherwise appear to be morally required. When these rules apply, the platitudes that a person is always free to do whatever does not harm or violate the rights of others, and that he should always act according to the dictates of his own conscience may be falsified.

Rules thus limiting authority are typical in institutional, and especially professional, contexts for at least three reasons.

First, the actions of agents in these contexts are likely to have broader cumulative effects on the institutions themselves. These cumulative effects may be difficult for the agents to predict from their perspective of particular cases or circumstances.

Second, where action according to limiting institutional principle might cause harm in violating common moral conscience, the institution is to be structured so that agents occupying other positions within it act to prevent such harm. A division of moral labor within the institutions results, in which behavior is to be coordinated toward the greatest good.

Third, agents within such settings must act toward strangers who must be able to predict their courses of conduct. Clients consult professionals in crisis situations, and it is often crucial to

be able to count on their reacting in certain fixed ways. Limiting norms render actions more regular and predictable than would direct consideration of all conceivable morally relevant features of situations. The purpose of professional codes of conduct, when these are more than public relations devices, is to make such norms explicit so as to coordinate professional conduct and render it consistent and predictable.

Despite these characteristics of institutional contexts in which professionals function, the burden of proof must remain with those who would defend limiting professional norms. It must be kept in mind that deferral to such norms in morally charged contexts always involves sacrifice, at least by the agent in question, of perceived moral goods or demands, or, most regrettably, of perceived moral rights.

If it appears paradoxical that fundamental moral principles could ever require their own suppression as guides to conduct, the paradox becomes superficial once we are reminded, as we were above, of the fallibility of moral agents and of the complexity of the social institutions within which they function. But if there is no outright paradox, there may remain sacrifice of individual interests and claims that would otherwise appear overriding. There may be moral costs to the agents in question as well relating to their freedom of choice. As noted, special norms often limit moral autonomy and authority, the exercise of which is valuable for agents and for their moral capacities and character development. Regarding the latter, frequent suppression of demands from ordinary moral conscience

may stultify its further employment, resulting at worst in the "organization man" mentality, for whom blind loyalty to the profession appears the only virtue.

The assumption that simplifying rules will operate in a morally better way than autonomous moral judgment presupposes a disjunction of more specific premises that remain themselves open to question. First, there may be hidden premises about the structure of the institution, for example the legal or economic systems, to the effect that when the rules in question are obeyed, when for example lawyers pursue only their clients' interests or business managers, profits, an invisible hand of institutional structure will guide and coordinate individual actions toward the greater moral good. But this must be explicitly shown for each institution as it actually functions, and not simply in the ideal case.

Or second, if the hand is not to be so invisible, there may be an assumption of a superior moral viewpoint for those who design the institution or make the rules or policies within it. The general rules they impose are assumed better able to capture fully enlightened moral judgments in aggregate than are the autonomous judgments of individuals directly involved in particular cases. This assumption becomes problematic when we recognize the difficulty in designing general rules, for example civil laws, so that they have the correct moral implications in the diversity of cases to which they might be applied. It is called into question further if we dismiss all claims to moral expertise, by legislators for example. An additional

consideration, however, as noted above, may be the need for regularity and coordination among actions of different agents, better effected by the imposition of the simplifying institutional rules. But again here it must be shown that this requirement overrides the need to judge each situation directly on its moral merits.

More generally, to justify limiting institutional norms such as are found in professional codes of conduct, it must be shown that they are required to serve the very values that underlie the more fundamental principles that are to be superceded. It must be shown that the profession or institution in question serves a vital moral function, one that could not be realized as well without the interposition of these norms between agents and their previously developed moral consciences. From the point of view of a rights based moral theory, the values to be served are those that underlie the recognition of individual rights in the first place: most concisely, those constituting necessary conditions for individuals to lead their own lives as they choose, to formulate and pursue other values of their choice. Such conditions include freedom from harm and unwarranted interference, a base of material goods and opportunities, and a social environment predictable enough for agents to form stable expectations and reasonable estimates of what is required to achieve various possible goals.

From this point of view, autonomous moral choice and decision by individuals is of both intrinsic and instrumental value. It is intrinsically valuable because individuals value the freedom to choose as they deem best, to

weigh all morally relevant factors as they perceive them. It is of instrumental value because making morally unrestricted choices develops the character to make broader and deeper choices about the course of one's life as it affects others, and because individuals who formulate diverse values for themselves and encounter such diversity in others are usually in a better position to evaluate situations in which they are directly involved than are outsiders. If social institutions and professions within them are to impose special norms that limit the moral autonomy of their agents to judge and act on direct moral principle, their justification must show how this better proteas the capacity for such choices among the citizens in the society at large.

Institutional Norms in the Legal Profession

We may descend from this level of abstraction to illustrate the attempted justification of special professional norms in the legal profession, for both judges and lawyers in our legal system.

The case of judges illustrates nicely how several of the considerations raised above in the abstract justify a special institutional norm to guide their conduct. The norm here demands that, except in extreme cases, they hand down legal decisions in accordance with requirements of law, even when their direct moral perception of the cases and consequences of their decisions disagree with those requirements. The values to be served here by the imposition of this special norm include the ability of citizens to form stable expectations in relation to the legal system and be free from unwarranted interference from

officials of the law. These necessary conditions for enjoying many other rights require in turn consistency and predictability in the decisions of judges. To be able to know what the law is and which legal requirements apply to various courses of conduct, citizens and the lawyers they consult must be able to predict how judges will decide prospective cases. This predictability, requiring consistency or coordination of individual decisions, is more easily achieved when decisions are made according to perception of law, including legal precedent, rather than according to perception of moral merits in each case.

Other justifying considerations here include moral fallibility and the division of authority within the political and legal structure. We trust more to the cumulative legal tradition and to legislators answerable to an electorate to frame guidelines for judicial decisions than we trust the moral perceptions of individual judges, especially given how many factors might enter into the overall moral deserts of litigants, factors that may be private matters and that legal trials are not designed to elicit. It may be particularly difficult for individual judges to estimate the cumulative effects of decisions on direct moral grounds. A trial court judge might correctly believe that a departure from legal requirement in the particular case before him will have little effect in itself upon the legal system. But if many judges so reasoned, the consistency and predictability of law, necessary to its social function, would be lost. Such discrepancy between individual and cumulative or collective rationality in decision making processes again typically justifies

the imposition of special norms to achieve the desired social effect.

A final consideration here is that, if judges do not accept the institutional norm in question, they not only jeopardize that consistency necessary for lawyers and citizens to know what the law requires, they also nullify the effects of legislative decisions and therefore violate democratic process. If judges can ignore not only precedent, but statute, for moral reasons they perceive to apply directly to the cases before them, then legislative decisions lose their force, and we have a government of judges rather than one of divided powers. Thus a norm blocking direct moral judgment seems justified in this case in being necessary for the realization of the fundamental purpose of the legal system: to subject the behavior of citizens to fixed and known rules through democratic political processes. Since this broad institution itself serves a vital moral function in providing a social environment in which rights maybe better protected and their enjoyment facilitated, the argument here fits the full model proposed in the abstract above.

Similar arguments may be offered in favor of a special professional norm for lawyers, to the effect that they ought not to block legal objectives of their clients on directly perceived moral grounds. Again the appeal is to moral fallibility and the division of authority, autonomy and responsibility within the legal system.

It is argued that attorneys who forego objectives or strategies within the bounds of law because they find them morally objectionable usurp the roles of

legislators, judges and juries in relation to their clients. They limit the exercise of legal rights when it is not their place to do so. Hence they usurp as well their clients' autonomy of decision. Each citizen, it is said, has a right to have his freedom limited only through proper channels; no one should be subject to a de facto government of lawyers. If lawyers take it upon themselves to judge clients on moral grounds, then not only will some clients suffer extralegal restraint, but others with politically unpopular causes may remain without competent legal representation at all.

And of course there is no guarantee that the lawyer's moral perception incorrect. If it exceeds in stringency the requirements of law, it will impose more severe restraint upon free action than the political system saw fit to impose. In order to maintain a government bylaw rather than by lawyers, the latter must therefore restrict themselves to the role of advocates within the legal system.

While the arguments here resemble the prior ones in form and content, more serious questions can be raised regarding their moral soundness. Again the value to be served by client advocacy is one fundamental in a rights-based morality-in this case the autonomy of legal clients within the political system. But exclusive focus upon the freedom of clients assumes equally competent representation for adversaries or third parties to counteract zealous advocacy in apparent violation of moral rights, and this assumed protection may not exist. From the point of view of lawyers themselves, it is simply not true that they would restrict legal rights as would judges if both acted on direct moral

perception. A client can seek and obtain another lawyer whose moral views are more in accord with his own if a first attorney refuses aid on moral grounds; but clients' positions vis a vis judges is clearly different.

Nor do lawyers' decisions have the direct effects upon law and the legal system that judicial rulings have; there is not the same danger of a de facto government of lawyers. The moral qualms of lawyers when their clients demand violation of perceived moral rights can only temper the functioning of the legal system, not determine in themselves the application of law to the behavior of citizens. It remains an open question whether the goal of protecting those values and rights that underlie the justification of the legal system are better served by a norm of single-minded client advocacy by lawyers.

We may illustrate the difficulty with the principle of zealous advocacy by moving to a yet more concrete example. Suppose a corporate lawyer on retainer is asked to block implementation of a proposed regulation by the FDA, so that his client can continue to market a product that the lawyer is convinced can cause serious harm. The present A.B.A. Code of Professional Responsibility allows a lawyer to withdraw from employment in such a case, if it has not reached the state of adjudication; but, if he continues to represent the corporation, the Code requires him to do his legal best to achieve its objective. Certainly there is no suggestion, even in the section that posits ethical ideals rather than legal require menu, that a lawyer ought to withdraw on grounds of conscience. Indeed the Code is quite explicit that an

attorney need not agree personally with the goals of his client in order properly to pursue them with utmost vigor.

Yet in this case the assumption that the system will provide adequate protection before the fact for those who may be harmed by the objective that the lawyer helps to achieve appears false. And there is little danger in this context that refusals of aid by individual morally minded lawyers will leave the corporate powers without legal representation. The situation is likely to remain the opposite—a great imbalance of legal expertise on the side of those with the resources to command it. Even when all sides to a dispute are legally represented, as long as fully zealous advocacy remains the norm and lawyers may use tactics designed to thwart decision on the moral or legal merits, cases will be decided more on the basis of adversarial skills than litigant rights.

I have argued this issue elsewhere and use it only for purposes of further illustration, to illustrate again how considerations of fallibility and consistency, and division of authority and autonomy within social institutions, all to serve those values underlying fundamental principles that define individual rights, figure in arguments for and against special norms. These norms are special because they generate duties for those in institutional (professional) roles that are independent of the immediate moral content of the actions they require. Such duties, we have seen, are intelligible and possible, but we must be cautious and refuse to accept them too readily. We must be sensitive to the sacrifice of perceived rights of

others, and to the limitations placed on autonomous moral judgments by the agents in these roles, as such limitations affect moral character and its exercise in other contexts as well.

In my opinion this theme is central to the moral philosopher's interest in professional ethics. Variations on it can be played out for each profession, determining in each case whether there really is a distinct professional ethic to be obeyed. The central considerations will remain the same, but they will figure differently in each case, so that, as has been intimated in relation to judges and lawyers, we should not expect a uniform answer to this question of special norms across professions and roles within them.

Analogies with Other Professions

We may cite several more examples to illustrate analogies with the legal profession. Arguments regarding the norm of profit maximization for business managers closely resemble those for lawyer advocacy, and they are equally open to question. Again the central assumption is that the institution, now the free market economy, will operate so as to maximize welfare and freedom of choice for consumers. It is said that potential profits represent future satisfaction of consumer desires, that their pursuit allows the buying public to impose its own values on business enterprises, that when managers forego possible profits, they substitute their own values for consumer preferences and usurp the taxing function of government in relation to stockholders. Again such arguments assume institutional forces to counteract possible harm from single-minded adherence to the norm; here the

countervailing forces include business competition and assumed expertise and ability on the part of consumers to impose and protect their interests. Once more such forces may be nonexistent or insufficient for their task, calling into serious question the norm itself.

Related arguments by economists apply to a more specific business practice that is directly relevant to professions as well, namely the setting of prices or fees. Free market economists argue that when prices are held artificially low rather than set to maximize profits, this will interfere with the market mechanism for rationing resources and goods in the optimal way. If prices are too low, demand for the good in question will be artificially high, creating over consumption in the short run and shortages in the long run. In addition, existing supply will fail to be rationed according to relative demand, as measured by willingness to pay. Some other mode of rationing will then be required, and for some goods this alternative may include black markets that operate less fairly than a normally operating free market.

Here questionable assumptions include the premise that supply of the good or service in question is normally responsive to demand, and, more important, that willingness to pay correlates with some morally relevant parameter for distribution, e.g. need, desire, etc. In the case of professional services both assumptions again appear false, so that direct perception by professionals of relative needs and abilities to pay ought to play a more prominent role in setting fees and providing services. A social obligation to cater first to relative need seems a

reasonable demand upon professionals, especially in exchange for allowing professional organizations to maintain monopolistic control over supply.

Problems in the division of moral autonomy, authority and responsibility emerge more clearly in relation to junior business executives and in other professions in which there are fixed hierarchical role relations, e.g. the military, the police, and the nursing profession. Standard rigid accounts, according to which those in higher positions have all the authority and those lower in the hierarchy owe obedience and loyalty, may oversimplify by exaggerating the authority of the former not only in relation to air subordinates, but visa via their clients or the public at large.

If, for example, doctors lack moral authority to make major medical decisions, which resides rather with their patients after they are fully informed, then nurses would appear to have a duty to provide relevant information to patients, even when that information reflects badly on the doctors' procedures. Similarly, police and military personnel ought to follow orders of superiors only when the latter have moral (and not simply institutional) authority to impose the policies or action in question on third parties, only when the actions meet minimal standards of moral decency. These standards, however, as viewed by subordinates, need not require actions morally best from their point of view, since such stringency would negate all authority for their superiors.

Considerations of fallibility and consistency also enter directly

into the justification of special norms in other professions. Consider the assignment of grades by professors. Since grades not only inform students of the quality of their work, but may drastically affect the future course of their lives, there may appear to be many morally relevant factors other than the quality of their work that enter into proper grading. A major problem with allowing such factors to influence grading, however, is that they cannot be consistently and fairly taken into account, given professors' fallibility and ignorance of the personal situations of many students. It is not simply that students and admissions officers alike expect grades to be assigned on the basis of scholastic achievement, since we can still ask whether such expectations are proper. It is also that, despite the scholastically superfluous function of sorting students for later careers, professors are not in a position to evaluate in a consistent way the moral deserts of students, their material and psychological needs, backgrounds, etc., that might be relevant in the abstract to a moral distribution of career positions.

Conclusion

There is space here neither to multiply examples further nor to do justice to the ones we have considered. But morals can be drawn for both the morally minded professional and for the professional moral philosopher. For the former the most fundamental question is whether he should trust to his conscience and ordinary processes of moral reasoning in professional contexts, or whether he should rather adopt certain fixed professional norms in advance and resolve to abide by them. Only after this methodological

issue is settled can decision procedure in morally charged contexts proceed. Of course the method for resolving the methodological issue at this level must itself derive from ordinary moral reasoning and more basic moral principle, but this does not necessarily stack the deck against special, middle-level, institutional norms.

For the moral philosopher, the resolution of the professional's question will affect the structure of ethical theory, complicating it when the answer is affirmative. At the least the attention to professions has shown that many traditional presentations of moral theory in terms of a few extremely general principles may be of no use in direct application to concrete situations within institutional settings. The cooperation of the professional and the philosopher addressing this question of moral authority simultaneously to moral theory and concrete cases across professions thus enriches the practice of the one and the theory of the other.

"Professional Ethics in a World Without Trumps"

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Many philosophers I know think professional ethics is an uninteresting subject that exists only because there is a market for it. Just as failed pop singers perform in the Catskills, they think, failed metaphysicians do

Ethical Issues in Consumer Research. Except for the genuine problems of biomedical ethics, triviality prevails.

This is unfair, of course. It is partly a reflection of snobism on the part of illuminates who still wish to keep philosophy pure. But such attitudes also reflect the fact that very little has been written in professional ethics that is as good as Alan Goldman's *The Moral Foundations of Professional Ethics*.

Goldman does not simply rehearse for us what a deontologist, and a utilitarian, and a libertarian, and a contractor fan would say about professionals' obligations. Instead, he develops a unified rights-based theory, in the liberal tradition, that generates a sustained criticism of professionals' ideologies. Goldman is an intelligent and careful philosopher, whose method is to develop the strongest possible arguments for the positions he wishes to criticize, and then to pick them apart one by one. He tries scrupulously to be fair, with the result that even in the places that his critique is convincing it is devastatingly so. He is not always convincing; but in a book that is wall-to-wall arguments no one expects to agree with everything.

Professions and Roles

Goldman rightly focuses on the key philosophic issue for the professions: whether they are governed by special moral principles that are different from, or even in conflict with, our common moral framework. In Goldman's terminology a profession governed by such principles is "strongly role-differentiated." Many doctors

assume that the "Hippocratic principle" means that their only duty is to the patient's health, even if that means fooling or manipulating the patient; lawyers assume that the "principle of full advocacy" authorizes them to trample other people's moral rights to further their clients' interests. Business managers may believe that their public obligations are discharged when and only when they maximize profits for their stockholders; and politicians may accept that their office requires them to dirty their hands with moral wrong (the "omelette/egg principle" made respectable when Machiavelli wrote, "I love my native city more than my own soul"). At the risk of giving away the plot, let me say at the outset that Goldman rejects all these claims. The fifth profession he discusses is judging; it is the only one that Goldman thinks is strongly differentiated. The judge must rule solely on the legal, not the moral, merits of the cases; ordinary citizens, by contrast, may "conscientiously object" to morally bad laws, and in this sense the judge's moral duty contradicts our ordinary framework.

Goldman's chapters on lawyers and doctors are particularly persuasive. He considers the usual arguments that a lawyer must not breach a client's trust by refusing on moral grounds to assist him or her; that the adversary system requires moral ruthlessness of lawyers; and that if lawyers refused morally unsavory cases they would be assuming oligarchic control over the legal system. Goldman simply demolishes these arguments. Similarly, he shows that patients must be told depressing or even traumatic facts about their own

condition, and permitted to make their own decisions about how to proceed, because that may be the only way they will be able to bring their life's work to a satisfactory conclusion, and realize the values that make life worth living.

Other chapters are less convincing. Goldman's argument that a judge must consider only the legal, rather than the moral, merits of a case ignores the large realist literature on adjudication, which suggests that this distinction might not even be meaningful. (Statutory interpretation, realists argued, is always done in the light of public policy and "the equities.") More important, Goldman's main argument, that if judges were to consider the moral merits we would be unable to form stable expectations of the law, introduces a subtle class bias. Only legally sophisticated people, or people who routinely consult lawyers, form their expectations on the basis of black-letter common law. Less fortunate or educated people generally assume that the equities as they perceive them will be endorsed by the courts, and are often stunned when they lose to "legalisms"; their stable expectations would be shattered by Goldmanian judges. (I leave aside the added question of whether social stability under bad laws is as important as Goldman assumes it to be.)

Even less satisfactory is the chapter on business ethics. Goldman asserts the rights of consumers—only one page is devoted to the rights of workers—against the arguments of laissez-faire free market apologists. This introduces an odd, almost surrealistic bias to the discussion: what are we to make of an essay

on business ethics in which Karl Marx is not even mentioned? One need not be a Marxist to think that the argument that business systematically violates the rights of workers by exploiting their labor must somehow be addressed. I suspect that outside the United States Goldman's chapter will be regarded as simply irrelevant. Perhaps he considered it important to beat back Milton Friedman on his own narrowly ideological turf; but earnestly Speaking Truth to Power in this way is liberalism at its most exasperating.

The Framework of Moral Rights

Judge, politician, lawyer, doctor, executive: this appears to be an olla podrida of professions. One main theme, however, unifies the book. Goldman believes "that special institutional obligations exist when their recognition has better moral consequences than would refusing to recognize them." This is consequentialism, but it is not utilitarianism, because Goldman thinks that the most vital moral consequences are rights, not utilities ("mere utilities," he often says). For Goldman, a strongly differentiated principle must be justified by showing that it leads, by and large, to enhanced fulfillment of rights. Utilitarian justifications will not do, and utilitarians are among Goldman's principal targets. When he contrasts professionals' supposed principles with "our common moral framework," Goldman usually means by the latter the framework of moral rights, and he insists that nothing can outweigh a right except another right.

What, then, are rights? For Goldman, they are interests that are especially important because

they are "protective of the integrity of the individual person." They "stake out a moral space in which individuals can develop and pursue their own values within a social context." The most fundamental rights, he believes, are those of autonomy and equality, though the latter does not figure prominently in Goldman's argument. Indeed, on page 109 Goldman suggests that autonomy alone is the foundational value in his theory. Autonomy means developing and pursuing our own values. It is important because we want to make our own decisions; because other people are less likely to make decisions for us that satisfy our wants; and because even if we did not want autonomy, autonomous beings are more worthy of respect. The value of autonomy appears directly in Goldman's argument in his chapter on doctors: he argues strikingly and successfully that our self-determined projects can be more important to us than life itself, and thus that the Hippocratic principle is false. Autonomy appears indirectly in the rest of the book, as the basis for the various rights to security, sustenance, and liberty that professionals might override. These interests count as rights because they are necessary for us to formulate and pursue our autonomous projects.

All this is interesting and plausible. I doubt, however, that the concept of rights will bear the weight that Goldman puts on it. The chapters on political and business ethics illustrate the difficulties.

Both politicians and business executives are commonly faced with situations in which, by

violating the rights of some people they can realize gains, sometimes very large ones, in overall utility (Goldman assumes, for the sake of argument, the Invisible Hand claim that in a free market what is good for business is good for overall utility.) This seems to justify sacrificing the rights. Against this Goldman offers the thought that rights trump utilities—that no violation of rights, however small, can be compensated by any gain in "mere" utility, however large. Goldman illustrates that with a civil liberties example: even if it would make many people much happier, it would be wrong to silence an offensive political speaker (say, a white supremacist); the right to free speech trumps all the aggregate utilities.

Similarly, an extremely unsafe production process would have to be shut down even though it was the only way to produce goods that people very much wanted, because the rights of the workers, or the locals whose air and water are being poisoned, trump the aggregate utility of stockholders and consumers. In the political context, it would be wrong for an official to smear an opponent, or bug someone's home, even if that were the only way to implement an extremely useful policy.

Putting such a theory into practice, however, would shut down the entire economy and totally halt the practice of politics. The production of the most basic goods, such as electricity and petroleum, is extremely dangerous both to workers and to the environment. But without them—no economy. It is similarly wrong to think that politicians could implement any policy without

employing practices that violate some people's rights. Certainly Goldman cannot mean to advocate a principle of *Fiat jus, perect mundi*. But that seems to be the inevitable consequence of viewing rights as trumps over utility. (Ronald Dworkin, who introduced the imagery of trumps in *Tatting Rights Seriously*, is not nearly as absolute about it as Goldman: Dworkin allows that rights may be violated in cases of "special urgency.")

Rights and Trumps

Goldman suggests a way out in the chapter on political ethics: although rights are trumps, some rights are more important than others (the ace of trumps beats the knave). A politician can violate some rights if that is the only way to protect more vital ones. Politicians find themselves in such a position much more frequently than private citizens, and this creates the illusion that they can override rights to increase utility. In reality, the interests for which politicians are responsible are often so vital that they should be regarded as rights, not utilities.

We may extend the same reasoning to the other example (though Goldman does not himself do so). Disastrous economic consequences are no longer "mere utilities": we have rights to basic goods, and these are more important than the rights that must be overridden to produce them. Up to a point, we should absorb the costs of workplace and environmental safety—these are utilities whereas physical safety is a right—but when it is a question of shutting down the country, rights are at stake.

This too is plausible. The problem

comes when we talk of stages intermediate to the extremes of catastrophic loss of utility and mere annoyance—when we talk, that is, about real-life cases. How much must the price of electricity go up before loss of utility becomes violation of rights? How good must a policy be before we have a right that politicians enact it? (Think of rural electrification or public transportation.) Long before our way of life is literally shut down, we can experience losses of utility that diminish our autonomy in quite tangible ways and have some claim to be regarded as rights.

It is futile to rely on the theory of rights to resolve real problems. In order to void an impossibly strong version of the rights-trumps-utilities thesis, certain "mere" utilities must be regarded as rights. This, however, is strictly a verbal change, and all the old utilitarian problems of aggregation and comparison—safety versus price, political ruthlessness versus political ineffectuality, many small harms versus a few greater ones, acid rain for all versus low-level radiation for some—must still be addressed under the guise of rank ordering rights.

Two possibilities follow: either the rights-trumps-utilities thesis is a purely formal analysis of rights and utilities, which by itself tells nothing about how we should regard particular interests that conflict in various contexts; or else it is simply not true that rights always trump utilities. In either case, merely showing that rights are at stake in a certain situation will not be enough to answer hard questions.

For this reason, the rights-trump

utilities thesis cannot be used to derive important conclusions. Rather, the thesis must itself be the conclusion of arguments that independently assess webs of competing values. When Goldman is convincing, he shows us that professional prerogatives cannot trump other values. It is curious, then, that his account and the professional ideologies he so effectively debunks share the assumption that one sort of value trumps all others. Ours is world without trumps.

Goldman's criticism of professional ideologies is—to my mind, at any rate—much more convincing than the rights-based principles he suggests in their place, for example, that a lawyer must "aid his clients in achieving all and only that to which they have moral rights." Kafka, we may suppose, had a more right to have his life's work burned after his death; would that mean, however, that were Max Brad his lawyer, Brad would have done wrong to save *The Trial* from the conflagration? It is not clear that Kafka's right trumps the value to us of great art. This is just one example of moral complexity in the world-without-trumps.

What is clear, however, is that professionals have usually assumed that their prerogatives trump our common moral framework. Goldman shows us that, at the deepest level, the fetish is a fiction.

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**"Unethical Professionalism:
Alan Goldman's Foundations
of Professional Ethics"**

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Hawaii at Manoa

It has recently become socially acceptable to sneer at the professions. Notwithstanding the reruns of Parry Mason and Marcus Welby, M.D., almost everyone these days seems to have a bad word for doctors, lawyers, and the rest.

Alan H. Goldman's *The Moral Foundations of Professional Ethics* adds to the literature of anger and indignation directed against those in professional life. But unlike most of the critics, Goldman's target is not the dishonest lawyer or the careless physician. Nor is it some new "conspiracy against the laity," to use Shaw's expression. Rather, Goldman takes aim at the "well-intentioned" practitioner, endeavoring to live up to the highest ethical standards of his or her profession. For Goldman, there is hubris in this: a presumed exemption from the requirements of ordinary morality. It is not the behavior of professionals he is concerned to criticize. Rather it is their suspect claim that they "must operate within different moral frameworks." Goldman subjects this claim-its variants and the reasons given for them-to exhaustive analysis and evaluation and, in general, concludes that the central problem in professional ethics is not that practitioners violate their codes but, rather, that they assume without question that they ought to adhere to them.

**The Common Moral
Framework**

Goldman is a philosopher who has written extensively on issues in ethics and social and political philosophy. His criticism of professional ethics has to be seen in the light of what he says about our "common moral framework" which he describes in his first chapter. That framework is a modified utilitarianism. Ordinary utilitarianism would require us to consider the interests of all on the same scale and to act in a way that maximizes the overall satisfaction of desire. One is not permitted to play favorites, even on one's own behalf.

Goldman's modification of utilitarianism reflects to a significant degree recent work of established theorists like John Rawls (*A Theory of Justice*) and Ronald Dworkin (*Taking Rights Seriously*). It is an effort to take into account some of the more serious difficulties with utilitarian doctrine, notably its obsession with the satisfaction of desire and its inability to provide a place for what we think of as rights. The move is to mark a distinction between low level interests, the satisfaction of which is counted as "mere utility," and overriding interests representing what Goldman calls "the preconditions for the exercise of creative individuality and valuation." These latter interests are not properly measured in terms of the intensities of the desires associated with them, but, instead, we must take into account that they are protective of individual integrity, our ability to formulate and pursue our life plans, our foundational interest in autonomy.

Protection of rights, in other words, represents a commitment

to a certain ideal of personhood-not a mere measurement of desire. As Goldman puts it, rights "express interests of individuals important enough to be protected against additions of lesser interests across other persons." As Dworkin puts it, "rights trump utilities."

Having distinguished between the interest in the satisfaction of desire and the interest in personal integrity (which merits protection even if we don't desire it), Goldman is in a position to make two important points. First, echoing Charles Fried, he points out that protection of this second type of interest secures for each of us "amoral space in which individuals can develop and pursue their own values within a social context." The freedom we have within this moral space includes the authority to exercise rights "even when doing so is wrong because unnecessarily insensitive to the interests of others." We may thus have the right to speak even when we offend unjustifiably.

Goldman's second point is that these rights limit the degree to which we may pursue personal values-our own and, where we have clients, those of others. While our foundational right to autonomy gives us freedom to pursue purposes that do not take into account the interests of others (contra the classical utilitarian), in pursuing these purposes we are not permitted to trespass upon the private moral spaces of others. We may speak freely, not taking into account the interests of others, but we are not allowed to violate their moral rights.

But surely, one might object, there is some right (as opposed to mere

interest) not to be offended unjustifiably. And surely that right, whatever its weight, can be placed in the balance against the right to speak freely. Goldman seems to agree but says, troublingly, that "it is impossible to state any interesting general and absolute priorities among types of rights" (page 30j. We cannot even say that rights not to be physically harmed take precedence over others. Such is our common moral framework, according to Goldman.

Now professionals, according to Goldman, maintain that the social positions they occupy are "strongly differentiated." (This is a technical term that Goldman coins, defining it perhaps less clearly than he might have.) By this Goldman does not mean simply that the professional has contractual obligations to perform certain tasks for others. Roles that have this feature are "weakly differentiated." Weak differentiation has not been a pressing problem in ethics: a good deal has been written, especially in legal and political philosophy, about "special obligations" arising out of some type of consent. For Goldman the important point about these contractual obligations is that they do not create moral license: one is generally not permitted to do for others what one is morally forbidden to do for oneself.

But strong differentiation implies license: the professional is "permitted or required to ignore or weigh less heavily what would otherwise be morally overriding considerations in the relations into which he enters as a professional." It means that being a professional makes a big moral difference. This claim does pose a pressing

problem for traditional moral philosophy which has strongly urged, at least since Kant (*The Foundations of the Metaphysics of Morals*), that any sound moral principle has to apply to all rational agents, has to be universalizable. Goldman sees professionals as claiming both augmented moral authority to defend certain interests of others and diminished moral responsibility to take into account opposing interests. They are claiming an exemption from the requirements of ordinary morality and it is this that raises Goldman's eyebrow.¹

The Well-Intentioned Lawyer

Let us take a look at what may be the most persuasive part of the book: Goldman's treatment of legal ethics.² At bottom, Goldman is outraged that lawyers believe that they are obligated, by their principle of full advocacy, to violate the moral rights of others in the pursuit of their clients' interests. His rhetorical question puts his position succinctly: "should lawyers ignore the interests of adversaries in pursuing their clients' objectives, in apparent violation of ordinary moral demands?" Goldman interprets Canon Seven of the American Bar Association Code as answering in the affirmative: "A lawyer should represent a client zealously within the bounds of the law." The stage is set for Goldman's criticism.

It is worth noting at the outset that common morality does not seem to require that one take into account all of the interests of adversaries. In competitive games, in war, in romantic rivalry it appears to be perfectly acceptable to ignore at least some interests. To be sure, we may not ignore all

of them: opponents in tennis may not be stabbed. But then lawyers do not claim the right to stab their adversaries. With respect then to what rights of adversaries do lawyers claim authority to trample? Given ordinary morality, what Goldman needs to show in order to make out his criticism of full advocacy is that there is some right of a third party that the lawyer violates in the pursuit of a mere trivial interest of his or her client. Mace utility would thus be trumping a right, and common morality will have none of that.

Goldman's discussion of this issue is strangely dissatisfying. Consider, for example, his "rape case," adduced to show how full advocacy violates the rights of rape victims:

Lawyer C is defending an accused rapist. His client privately admits to him midway through the trial that he did force himself upon the victim, but claims that "she was asking for it." He insists on continuing a plea of not guilty on grounds that the woman was a willing sexual partner. She has taken the witness stand and can be cross-examined. The lawyer knows that she has been suffering from an acute nervous condition since the incident, and she appears to be still in a mentally fragile and vulnerable state. Should he aggressively cross examine to destroy the credibility of her testimony?

This is the full text of the case. It is of interest that Goldman does not tell us how we or the lawyer are supposed to know that the client is guilty of the legal offense of rape.³ Unlike the events in the case, reality does not come labeled. Nor does Goldman tell us what the elements of the crime of

rape are in the jurisdiction in which the trial occurs. Is consent not a defense when force is employed subsequently? The case does illustrate the difficulty that lawyers may have getting clients to speak freely. And it raises a question whether the prosecutor erred, perhaps ethically, in placing on the stand a witness whose testimony will not be credible. We might ask whether victims of rape should be assigned special counsel to insure that their legal interests are adequately secured: the prosecutor represents the state and not the victim. But these issues do not attract Goldman's attention.

Instead he asks whether the lawyer should aggressively cross examine to destroy credibility when he knows the witness to be telling the truth. The truth about what? Goldman doesn't say. And just how is the lawyer planning to destroy credibility? Again Goldman is silent, though he rails about lawyers' "tactics." If, for example, there is evidence that the witness is an habitual liar, or that she has it in for the defendant, or that her condition makes it unwise to rely exclusively upon her testimony, should defense counsel refrain from bringing these matters up on the grounds that the witness is vulnerable? Is calling the court's attention to this evidence merely a "tactic" or is it the heart and soul of what it is to be an advocate? Goldman doesn't get to these questions.

Setting them aside, let us consider Goldman's assumption that full or zealous advocacy would have lawyers degrade witnesses whenever it serves the purposes of the client. We could discuss the procedural protections against the badgering and harassment of

witnesses, protections that are part of trial procedure. We could consider whether these protections are adequate-Goldman provides no evidence that they aren't. But it is perhaps more germane to look at the ABA Code. In the very section invoked by Goldman (Canon Seven-Zealous Advocacy) we find: "A lawyer does not violate this Disciplinary Rule ...by avoiding offensive tactics, or by treating with courtesy and consideration all persons involved in the legal process. "Just who is urging the degradation of witnesses?"

But even if the legal profession did regard it as obligatory to ignore the interests of witnesses, that alone would not show that lawyers act immorally. On Goldman's theory, what has to be shown is that the interest of the witness is one representing a "precondition for the exercise of creative individuality and valuation." That would make it worthy of protection as a right. But we have no idea what has happened to this witness, much less that she has been denied some precondition. Goldman may be correct that rape victims have rights that are violated by the well-intentioned defense counsel. But he strangely neglects to explain what these rights are and how they are violated.

Moreover, even if Goldman were to establish that the witness has rights that are ignored by the well intentioned defense counsel, even that would not establish the lawyer's immorality if there were a counterbalancing moral rights on the other side. For Goldman, the victims of lawyers seem nearly always to have moral rights; clients, only interests. Nearly always, but not quite. In

defending lawyers who defend Nazis. Goldman writes "There is all the difference in the world ...between aiding Nazis to achieve all their aims, and aiding them by protecting their constitutional rights. Surely lawyers trained to draw fine distinctions can perceive that not very fine one."

Lawyers, to be sure, can and do draw that distinction-more often than Goldman does. They invoke it on behalf of their unadjudicated but morally guilty clients. If the rapist has fundamental moral rights guaranteed by the Constitution-the right to counsel, the right to due process, the right to cross examine witnesses, to present evidence in one's own behalf, to appeal to the state for that which is guaranteed as a matter of legal right-then those rights may be placed in the balance against the rights of the witness. Only if the witness's rights override the client's rights can we say that the lawyer acts immorally.

But, as we noted earlier, Goldman believes that it is "impossible to state. . . priorities among types of rights." Thus, if he is correct in this last point, as long as the lawyer is protecting or exercising some right possessed by the client, it will never be possible to establish that the witness's right takes precedence over the client's. Not only does Goldman fail to establish that lawyers are required by their code to violate unjustifiably the moral rights of others. His position appears to imply that no one could establish this.

The Well-Intentioned Doctor

Goldman's treatment of doctors generates similar disquiet. As with his treatment of lawyers, his

question is "whether central medical norms can override rights of others, here patients, that would otherwise obtain." The central medical norm that Goldman scrutinizes is one he calls the "Hippocratic principle": the principle that requires doctors to provide optimal treatment, cure, or health maintenance to patients. Goldman's charge is that the medical profession claims that the Hippocratic principle licenses physicians to withhold the truth from patients and to make decisions for them regarding courses of treatment. Since people normally have the right to make decisions that concern themselves alone, doctors depart from the requirements of ordinary morality when they exercise "special moral authority" to manipulate or usurp patient decisions.

Goldman's strategy is to set up a respectable argument for the Hippocratic principle—importantly, not one drawn from medical literature and to show in a workmanlike manner the flaws with that argument. His criticism is based upon his claim that "the most fundamental right is the right to control the course of one's own life, to make decisions crucial to it, including decisions in life-or-death medical contexts." (Do we have here an interesting general priority among types of rights?) Because self-determination is of fundamental value, the Hippocratic principle cannot override patients' rights to know the truth and to make their own decisions.

I believe that Goldman is correct in his assessment of medical paternalism: it ought to be eschewed by the profession. And it is true that doctors have often been too quick to encroach upon

the authority of their patients. But it is not at all clear that the defect in practice is the fruit of a misguided professional conscience. While doctors used to know their patients quite well, now they often meet patients for the first time in the midst of crisis. Medical practice may simply not have caught up with the requirements of a vastly changed context. Communicational skills that were not needed years ago may now have to be developed. Thus, what appears to be paternalism may just be an understandable lag in a process of adaptation.

Moreover, informing patients and helping them to be clear about their full range of options takes time and emotional energy as well as skill. It may be that the constraints of the institutional setting, the personal priorities of doctors (the discomfort some may feel in discussions of impending death, especially where the legal consequences of decisions are unclear and fraught with peril), and the needs of other patients make it easy for doctors to give short shrift to the requirements of informed consent. The point is that one cannot go from the premise that many doctors act paternalistically to the conclusion that the medical profession both endorses paternalism and claims a special license to encroach upon the autonomy of others.

What then is Goldman's evidence that the medical profession claims the moral license he says it does? One might think that Goldman's "Hippocratic principle" is to be found in Hippocrates. Goldman refers to the tradition of "doing no harm" to patients. Hippocrates, to be sure, is usually credited with the maxim *primum non nocere*

(above all, do no harm). But, as Beauchamp and Childress note in *Principles of Biochemical Ethics*, that precise language is not to be found in the Hippocratic corpus. (The *Epidemics* contains a phrase that has been translated as "at least do no harm.")

But even if *primum non nocere* were right there in the Oath, it could not without violence be interpreted as requiring doctors to do everything they think is of benefit. If Goldman says that doctors interpret the Hippocratic tradition in this way, he owes us some hard evidence for this charge. One searches the book in vain for that evidence. Indeed, if the well-intentioned physician were to review recent work on informed consent and truth telling, in order to form a responsible judgment on the propriety of medical paternalism, he or she would discover an emerging consensus within the medical profession that much of the paternalism that has crept into medical practice is not ethically defensible. If the horse that Goldman is beating ever was healthy, it is surely dead now (or at least terminally ill).

Goldman's criticism of medical ethics appears to presuppose that the well-intentioned physician is an elitist bully, committed to self-righteous lying and manipulation. Having worked with many physicians on ethical problems, I can only say that I have met none who are ready to break a lance in defense of the overreaching that Goldman condemns. Having read Goldman, one might expect the American Medical Association *Principles of Professional Ethics* to be sounding forth the trumpets of paternalism. Instead one reads: "The principle objective of the

medical profession is to render service to humanity with full respect for the dignity of man." The new draft puts the point even more strongly: "A physician shall be dedicated to providing medically competent service with compassion and respect for human dignity" (emphasis added). Goldman's charges against the well-intentioned practice of medicine are grave indeed. But the search for his line of argument leads only to innuendo.

Judges, Elected Officials, Managers, Etc.

Most of those reading Goldman's book will be surprised that he devotes over a third of it to the professional ethics of judges, elected politicians and business managers. None of these are professions. Even his broad definition of "profession," in terms of "the application of specialized knowledge in the interest of a clientele," fails to license this inclusion: business managers and politicians may not have specialized knowledge and judges can hardly be said to serve a clientele (unless one is making an accusation).

What Goldman leaves out of his definition (though he is aware of it) is that professions typically enjoy a legal monopoly with respect to some service of significant social importance. Professionalization is the political process by which such a monopoly is achieved.⁴ Society delegates to the organized profession a kind of exclusive responsibility for some matter of substantial concern. Professional certification programs and codes of ethics are typically the main means by which the organized profession endeavors to discharge the responsibilities it has assumed in achieving its monopoly status.

This failure is probably most serious in his treatment of confidentiality. His example in medicine is the physician who

believes that the child she is treating has been abused by the parent who brought him in. Goldman's view is that doctors have the same duty to report that everyone else has: "the claims of others to be spared unnecessary harm must be balanced against the duty of confidentiality ...imminent danger to others outweighs the breach of trust..." Breaching confidentiality will thus reduce harm. But is it so?

If doctors reasoned as Goldman, they would inform the authorities whenever they think that children are endangered by their parents, and abusive parents would thus lose custody. But if such cases are routinely reported, parents will soon learn of the practice. Since parents neither want to be in trouble with the authorities nor to lose custody, they can be expected to hesitate and refrain from taking children to obtain care. Thus the children that Goldman wants to rescue from harm will not be saved under his reporting rule. Indeed, these children will be even worse off since neither will they receive medical care nor will their parents receive advice from a concerned physician. Thus children who now get help under the confidentiality rule (through medical care and advice to their parents) will not receive that help under Goldman's reporting rule.

Finally, child-abusing parents will not be the only ones with reasons to hesitate before taking their injured children to physicians for help. Parents who fear that they may be wrongly identified as abusers will hesitate as well. (I

happen to know of two such cases: in one the parent was a pediatrician, well aware of the indications usually noted by colleagues.) There would thus appear to be more harm under Goldman's reporting rule than under a confidentiality rule. I agree with Goldman that in general people should report such cases. But not doctors.

Today the patient meets the doctor in a formal relationship that is specified largely by the organized profession. The practice of breaching confidentiality can put the entire profession at risk. It can poison the environment in which the medical profession does its best work. Physicians have enough difficulty as it is getting people to talk about medical problems. They do not want to make it a consequence of child abuse (or injuries that resemble those of child abuse) that the parents involved will be unfree to obtain the medical care needed for their children. It may be that physicians have a responsibility to help civil authorities. But not when that help is illusory and when it undercuts the capacity of the profession to meet its primary responsibilities.

I think that Goldman's book, at bottom, tries to assure philosophers that they have little to gain from the study of professional ethics. It will be a shame if it succeeds in this. Many of those in the professions are in genuine ethical trouble and philosophers have much to contribute to the resolution of their problems. But derisive sneers can't help. The discipline of philosophy can, but only if the skills are developed that will allow fruitful dialog. This involves learning the languages of

the professions, learning to see the world through those eyes, becoming familiar with the rites of the courtroom and the rituals of the operating theater.⁵ It is of interest, I believe, that Goldman finds strong differentiation only among parents, teachers and judges. These three roles are perhaps more familiar to philosophers than any of the others considered and, indeed, Goldman himself has held two of the three. Let me proffer that as philosophers become more familiar with the practices of law, medicine, journalism, nursing, engineering, and so on, strong differentiation may well come to be seen as the rule rather than the exception. The study of professional ethics provides philosophy with fresh new data that must be integrated into our theories of ethics. Goldman tries to show that professionals must adapt their ethics to the requirements of his "common moral framework." But accommodations may have to be made in the other direction as well.

Footnotes

1. Goldman is not the first philosopher to have seen this problem. It has been discussed in Ban femurs Freedmen's "A Meta ethics for Professional Morality" in *Ethics*, Volume 89, October 1978, and additionally, in my "Professional Responsibility and the Responsibility of Professions," delivered at 1978 Colloquium on Collective Responsibility in the Professions at the University of Dayton, published in the Summer 1981 issue of the *University of Dayton Review* and forthcoming in *Elfin*, Pritchard and Robison, eds.,

Profits and Professions (Humane Press). Both Freedmen and I come to conclusions very different from Cal s.
2. The chapter appears to have persuaded David Luban in his review of Goldman's book in the *Hastings Center Report*, June

"Announcements"

NSF GUIDELINES: Program on Ethics and Values in Science and Technology. New consolidated guidelines, for both project and individual awards, are now available. Final proposals are due on August 1, 1983. Guidelines are available from Forms and Publications, NSF, Washington, DC 20550. For further information, contact Rachelle Hollander at EVIST (202) 357-7552.

CONFERENCES: The American Society of Law & Medicine is sponsoring a seminar on "Recent Developments in Mental Health Law" in Chicago on June 9-10, 1983. They will also be sponsoring a conference concerning legal and other problems relevant to "Trauma Centers and Emergency Medicine." June 20-22, 1983, in Boston. For more information on either of these conferences, contact: Victoria Coates, Publicity Director, American Society of Law & Medicine, 765 Commonwealth Avenue, Boston, MA 02215. Phone: (617) 26211990.

The Ninth Annual Workshop on Lawyers' Professional Responsibility will be held in

Chicago on June 9-11, 1983. It is being sponsored by the American Bar Association Center for Professional Responsibility and Standing Committee on Professional Discipline. For more information, you may write to this center at 33 West Monroe Street, Suite 700, Chicago, IL 60603. Phone: (312) 621-1712. Call collect.

The Hastings Center will sponsor a "Workshop on Ethical Issues in the Health Professions and the Biomedical Sciences," June 19-24, 1983, at Vassar College. Contact: Workshop on Ethical Issues in the Health Professions, The Hastings Center, 360 Broadway, Hastings-on-Hudson, New York 10706. Phone: (914) 478-0500.

The Center for Philosophy and Public Policy at the University of Maryland is planning two workshops on "Teaching Philosophy and Public Policy." The "east coast" conference will be held at Trinity College in Washington, D.C., July 22-24, 1983; and the "west coast" conference will be held at the University of California at Berkeley, July 6-8, 1983. For more information, contact: Rachel Setter, Center for Philosophy and Public Policy, University of Maryland, College Park, MD 20742. Phone: (301) 4541604.

The University of Southern California at Los Angeles will host a "Summer Workshop on Teaching Business Ethics" for business and liberal arts faculty, on July 16-17, 1983. Please contact: William May, Program Director, University of Southern California, Taper Hall of Humanities, Room 337, Los Angeles, CA 90089-0355. Phone:

(213) 74311422.

DePaul University and The Society for Business Ethics announce a Conference, July 25-26, 1983, and a Workshop, July 26-30, to be held at the Lincoln Park Campus of DePaul University. Inquiries may be addressed to: Paul Camenisch, Department of Religious Studies, DePaul University, 2323 North Seminary Avenue, Chicago, IL 60614. Phone: (312) 321-8269 or 321-6226.

The Fifth National Conference on Business Ethics will be held on October 13-14, 1983 at Bentley College in Waltham, MA. Its theme will be: Corporate Governance: Institutionalizing Ethical Responsibility. Please contact: David Fedo, Conference Chairman, Bentley College, Waltham, MA 02254. Phone: (617) 891-2115.

On December 3, 1983, the Program in Business Ethics at the University of Southern California is sponsoring a workshop to assist firms and managers to think about ethical issues regarding work force reduction. Write to: Program in Business Ethics, University of Southern California, Taper Hall, 337, Los Angeles, CA 90089-0355.

SUMMER INSTITUTE: The University of Kentucky College of Allied Health Professions is holding a six week summer institute on Health Care Ethics for Allied Health Faculty," June 12-July 22, 1983. Address inquiries to: Janet I. Pisaneschi, Ph.D., Director, Summer Institute on Health Care Ethics, College of Allied Health Professions, Medical Center Annex 2, Room 125W, Lexington, KY 40536-

0080. Phone: (606) 233F456.

"At the Center"

As an applied ethics center located in a major mid-western city, the Center has been fortunate to host a number of visitors from a variety of locales and with a diverse set of interests. The group has included publishers, journalists, academics, professional society staff, corporate managers, government officials and practitioners representing almost every professional field.

Some visit simply to talk with Center staff and faculty about the field of applied ethics generally and their interests in particular; others come to discuss possible collaboration on projects initiated either by the Center or by the visitor; and still others are attracted by the Center's extensive research library.

Such visits inevitably spark a renewal of our commitment to the field of professional ethics and quite often lead us in directions that we might not otherwise pursue. We sense that our guests, too, welcome the intellectual nourishment that they receive during their visit.

We also entertain an increasing number of requests for assistance on a wide assortment of matters. In responding to many of these we rely on the resources of the Center's library, which offers a variety of services that others may find helpful in their work.

The library collection includes materials relating to a broad range of professional fields and activities. It consists of approximately 1,500 monographs, 75 serials, 8,000 articles and court decisions, and a compilation of codes of ethics from more than 500 professional and trade associations, business organizations, government bodies and other groups concerned with the rights and responsibilities of professionals. We also maintain a referral bank of more than 250 organizations and programs in applied ethics or involved in professional education and practice, and a file of course syllabi from applied ethics programs in academic institutions and from management training programs in corporations.

A librarian offers on-site professional assistance and will also respond to telephone or written inquiries. On request and without charge the Center will prepare specialized bibliographies of materials in the library. Single copies of most items in the collection can be provided for a nominal fee to cover copying costs. All communications regarding access to the library and its related services should be directed to Joy Liljegren, CSEP Librarian, BT, Chicago, Illinois 60616; Phone (312) 567913.

The Center for the Study of Ethics in the Professions at the Illinois Institute of Technology was established in 1976 for the purpose of promoting education and scholarship relating to ethical end policy issues of the professions.

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